

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GAETANO DEVELOPMENT CORP, GATEWAY IV,
LLC and HARTFORD FIRE INSURANCE
COMPANY a/s/o GATEWAY IV, LLC

Plaintiffs,

Judge Rakoff

-against-

GOODMAN MANUFACTURING COMPANY, LP,
GOODMAN COMPANY, LP and GOODMAN
GLOBAL, INC

Case No.: 09-CV-10090

Defendants.

GOODMAN COMPANY, LP

Third-Party Plaintiff,

-against-

TOWER MANUFACTURING CORPORATION

Third-Party Defendant.

TOWER MANUFACTURING CORPORATION

Second Third-Party Plaintiff,

EVEREX COMMUNICATIONS, INC, PRIME
TECHNOLOGY (GUANGZHOU), INC,
CONNECTICUT PTAC SERVICES, LLC, and COOL
TECH HVAC SERVICE, LLC

Second Third Party Defendants.

PRIME TECHNOLOGY (GUANGZHOU), INC.'S NOTICE
OF SUMMARY JUDGMENT MOTION

Please take notice that on or about March 17, 2011 or as soon thereafter as counsel may be heard,
Defendant, Prime Technology (Guangzhou), Inc., ("Prime") shall move pursuant to Rule 56 of the Federal

Rules of Civil Procedure for summary judgment on the following basis:

1. That judgment should be entered in favor of Defendant, Prime and against Defendant, Tower Manufacturing Corporation, (“Tower”) on Defendant, Tower’s cause of action for contribution;
2. That judgment should be entered in favor of Defendant, Prime and against Defendant, Tower, on Defendant, Tower’s cause of action for indemnification; and,
3. That judgment should be entered in favor of Defendant, Prime and against, Defendant, Tower based on Defendant, Tower’s failure to establish through their expert report and any associated testimony and/or affidavits any alleged wrongdoing by Defendant, Prime in the manufacture of the M61 circuit board at issue in this matter.

Please take further notice that pursuant to this court’s Amended Civil Case Management Plan, Prime’s Statement of Material Facts in support of its Motion for Summary Judgment (pursuant to Local Rule 56.1) together with declaration(s) and memorandum of law in support of Defendant, Prime’s Motion for Summary Judgment shall be filed with the court on or before February 14, 2011; opposition to Defendant, Prime’s motion shall be filed on or before February 28, 2011; and reply papers shall be filed on or before March 7, 2011.

Date: February 8, 2011

By: /s/Michael J. Dougherty
Michael J. Dougherty, Esquire
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CERTIFICATE OF SERVICE

I, Michael J. Dougherty, hereby certify and affirm that a true and correct copy of the attached Notice of Summary Judgment Motion has been served via ECF upon the following parties on February 8, 2011:

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